



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	BOARD OF ARCHITECTS
MEETING DATE AND TIME:	Wednesday, May 5, 2010 at 1:30 p.m.
PLACE:	861 Silver Lake Blvd., Conference Room B, Second floor, Dover, Delaware
MINUTES APPROVED:	6/2/10

MEMBERS PRESENT

Jean McCool, RA, Professional Member, President
Joseph Schorah, Public Member, Secretary
Gregory Kindig, RA, Professional Member
Arden Bardol, RA, Professional Member
Kenneth Freemark, RA, Professional Member
John Mateyko, RA, Professional Member
Elizabeth Happoldt, Public Member
Prameela Kaza, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Andrew Kerber, Deputy Attorney General
Nicole M. Williams, Administrative Specialist II

ABSENT

Toni Bush Neal, Public Member

OTHERS PRESENT

Nancy Payne of the American Institute of Architects of Delaware, Terry Burke (Court Reporter), Ed Crumlish (NCC Vo-Tech, Polly Koster, Todd T. Breck,

1.0 Call to Order

Ms. McCool called the meeting to order at 1:26 p.m.

2.0 Audit Show Cause Hearings

1:00 p.m.: Show Cause Hearing for Christopher Elnicki – Cancelled

Ms. Williams advised the Board that Mr. Elnicki accepted the Board's waiver as he paid the \$1,500 civil penalty and submitted proof of his additional continuing education and is now in compliance with the audit. There was no further discussion or action by the Board.

1:10 p.m.: Show Cause Hearing for William Van Wyk

Ms. Williams advised the Board of Mr. Van Wyk's request to retire his license as he is no longer practicing in Delaware and does not need to maintain and DE license. The Board discussed and granted Mr. Van Wyk's request. Mr. Van Wyk's license will be retired as per his request. The Board advised Ms. Williams to send Mr. Van Wyk a letter advising him that he must return his license and seal to the Board office within 30 days of the Board's decision or he could be subject to appear for a show cause hearing.

1:20 p.m.: Clark H. Neuringer – Cancelled

Ms. Williams advised the Board of Mr. Neuringer's request. The Board reviewed Mr. Neuringer's letter and advised Ms. Williams to send him a letter stating that he will need to self report the 44 hours he received as serving on the New York Zoning Board of Appeals as Chairman for AIA credit. The Board did not grant Mr. Neuringer's request for a reduction in the \$1,500 civil penalty. Ms. Williams will send Mr. Neuringer a letter to apply to AIA for those 44 hours of credit and the Board's decision to not decrease the civil penalty.

1:30 p.m.: Show Cause Hearing for Kevin P. Mills

Ms. Williams advised the Board that Mr. Mills had not responded to the first or second audit notice. Mr. Freemark advised to contact the Denver architectural registration board to if Mr. Mills is a registered architect there as he applied by reciprocity from Denver and then the Board will proceed from there. The Board granted a continuance of Mr. Mill's hearing.

1:40 p.m.: Show Cause Hearing for Charles B. Tomlinson, Jr.

Ms. Williams advised the Board that Mr. Tomlinson complied fully with the audit and will send him a letter notifying him of his compliance. There was no further action by the Board.

Mr. Schorah arrived at 1:37 p.m.

1:50 p.m.: Show Causing Hearing for Todd T. Breck

Mr. Freemark recused himself from this hearing.

The hearing started at 1:39 p.m. for Todd T. Breck for the Continuing education audit. Mr. Kerber addressed Mr. Breck to present his case.

Mr. Breck provided his testimony to the Board. The Board had no questions for Mr. Breck.

The Board went off the record at 1:43 p.m. for deliberations.

The Board went back on the record at 1:54 p.m. Mr. Schorah made a motion to assess the full fine of \$1,500 for non compliance to the continuing education audit, seconded by Ms. Kaza. The motion carried unanimously.

The hearing adjourned at 1:55 p.m.

2:00 p.m.: Show Cause Hearing for Hue Grant - Cancelled

Ms. Williams advised the Board that Mr. Grant accepted the Board's Waiver and paid the \$1,500 civil penalty fee and provided proof of completion of the necessary continuing education to complete the 2009 audit.

3.0 Review and Approval Of Minutes

The Board reviewed the April meeting minutes. Mr. Schorah made a motion to accept the minutes as presented, seconded by Ms. Kaza. Motion carried unanimously.

4.0 Unfinished Business

Review of Unlicensed Activity Letters

Mr. Kerber advised that there was no new development. No further action by the Board.

Strategic Plan

Certificate of Authorization Application – Update

Mr. Kerber advised the Board of the changes he made to the application that were suggested by the Board at the May meeting. The Board discussed further changes.

Mr. Schorah made a motion to approve the application with the noted correction, seconded by Ms. Kaza. Motion carried unanimously.

The Board discussed a draft cover letter to be sent out regarding the new statute change for the COA to all DE licensees and DE architectural firms. The notice will advise that the COA application must be filed within 30 days of date of notice and if after 30 days will be assessed a fee of \$175 and if not filed within the next 30 days then the company will be assessed an additional fee of \$1,500.

5.0 New Business

Review of Reciprocity Applications – NCARB Certificate – Ratify Listing

Mr. Freemark made a motion to ratify the listing of licenses that were issued via reciprocity with NCARB certificate to Peter Poon, Jo Baker, David Kurtz, Joseph Boggs, Maria Vershel, Jonathan McIntyre, Daniel Kaplan, and Rocco Campanella, seconded by Ms. Happoldt. Motion carried unanimously.

Update and Correspondence of Audits of 2009

Ms. Williams advised the Board that Robert Verrier, Mark Yantis, Ronald Muscelli, and Richard Mullineaux passed the audit and were not deficient in the continuing education they submitted. No further action was taken by the Board for the above audits.

N. Howard Weissman – Letter of Request

Ms. Williams advised the Board that Mr. Weissman was requesting the civil penalty to be waived. The Board reviewed and discussed Mr. Weissman's letter of request. Mr. Schorah made a motion to deny the request to waive the fee, seconded by Ms. Kaza. Motion carried unanimously.

Lee A. Casaccio – Request from Attorney; Audit Cleared

Ms. Williams advised that Mr. Casaccio was in compliance with the 2009 audit as determined by his AIA transcript he submitted, and further advised that the letter from his attorney requested that the Board dismiss the hearing and civil penalty. The Board agreed to dismiss the hearing and civil penalty as Mr. Casaccio was in compliance with the 2009 audit. No further action was taken by the Board.

Louis J. DeLosso – Request to Withdraw License

Ms. Williams advised the Board of Mr. DeLosso's request to withdraw his license renewal. The Board reviewed and discussed the request. Mr. Schorah made a motion to accept Mr. DeLosso's request with Ms. Williams to send him a letter that he has 30 days to return his license and seal to the Board, seconded by Ms. Kaza. Motion carried unanimously.

New Complaints: Assign a Contact Person

07-01-10 – Middletown

Complaint 07-01-10 assigned to Mr. Freemark.

07-02-10 – Ocean View

Complaint 07-02-10 assigned to Mr. Kindig.

07-03-10 – Wilmington

Complaint 07-03-10 assigned to Mr. Mateyko.

6.0 Other Business Before the Board (for discussion only)

Mr. Freemark advised the board that there are many architects missing specifics in regards to the statute and the rules and regulations. Ms. Payne inquired if the Board would like the AIA newsletter to state regulation information more frequently. The Board concurred. Ms. Williams advised that the Division is currently looking to establish a Twitter information page for professions that would house this type of necessary information for our licensees. Ms. Payne of AIA advised that Delaware's AIA newsletter only goes out to those DE licensees. Ms. Payne further advised that DE AIA could expand their communication area. The Board further discussed informing licensees about the changes to their regulations and statute in the renewal notices. They discussed including information regarding requesting a hardship and any new changes.

Ms. McCool advised the Board that next week, the 14th of May, is the deadline for reservations for the hotel for the conference in San Francisco. Ms. Williams advised that she will not be able to attend. Mr. Freemark and Ms. Kaza also will not be able to attend. Mr. Mateyko advised that he may be able to attend.

Ms. McCool advised the Board that there is no new information regarding the cease and desist letter sent to Delaware Technical Community College, Owens Campus.

Mr. Kerber advised that he received an inquiry from another Deputy Attorney General regarding ethical guidelines for architects, specifically stating if an architect knows that another professional architect is practicing unethically, is it the architect's duty to report. The Board advised that there is nothing that requires an architect to report this type of activity.

7.0 Public Comment

Mr. Schorah advised that Mr. Ed Crumlish from New Castle Co. Vo Tech School District attended the meeting to appear before the Board regarding the state standards for math. Mr. Crumlish introduced himself and addressed the Board as he inquired if the Board knew of any one that would be able to work with the math instructor of the school to assist in the math curriculum area in order to help the students. Ms. Nancy Payne of the American Institute of Architects of Delaware advised that the DE AIA would be able to assist in this matter. Mr. Crumlish advised that the school had been in contact with ABC Delaware, DCA, and others in their attempt to improve state standards for school math education. Mr. Crumlish and the Board further discussed. Mr. Crumlish thanked the members of the Board for their time and input.

8.0 Next Scheduled Meeting

The next meeting will be held on June 2, 2010 at 1:00 p.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

9.0 Adjournment

With no further business before the board, Ms. Kaza made a motion to adjourn the meeting, seconded by Mr. Freemark. The motion carried unanimously. The meeting adjourned at 2:57 pm.

Respectfully submitted,

A handwritten signature in black ink that reads "Nicole M. Williams". The signature is written in a cursive, flowing style.

Nicole M. Williams
Administrative Specialist II